

# Procurement of Construction: Procurement of Architect-Engineer Services - CCF

## **General Policy**

The District shall publicly announce all requirements for architect-engineer services and shall negotiate contracts for architect-engineer services on the basis of demonstrated competence and qualification for the type of services required and at fair and reasonable prices. Such services shall be procured as provided in this policy except as otherwise provided in Policy CBA regarding vendor qualification, Policy CBE regarding small purchase procurement, and Policy CBF regarding sole source and emergency procurement. This policy does not apply to the hiring of an architect or engineer as an employee of the District.

*See Utah Code § 63G-6a-1502 (2013)*

## **Selection Committee**

The Board of Education or the Procurement Officer shall encourage firms engaged in the lawful practice of architect-engineer services to submit annually a statement of qualifications and performance data. Subject to rules made by the Procurement Policy Board, the District shall establish an evaluation committee for architect-engineer services contracts. The evaluation committee shall

1. Evaluate current statements of qualifications and performance data on file with the District or with the state, together with those that may be submitted by other firms in response to the announcement of the proposed contract;
2. Consider no less than three firms; and
3. Based upon criteria established and published by the District, select no less than three of the firms considered to be the most highly qualified to provide the services required.

*Utah Code § 63G-6a-1503 (2013)*

## *Restriction regarding higher education institutions*

When the District elects to obtain architect or engineering services by using a competitive procurement process and has provided public notice of its competitive procurement process, the District may not award a contract to perform the architect or engineering services to a higher education entity or any part of one.

*Utah Code § 63G-6a-1506 (2013)*

## **Determination of Compensation**

The Procurement Officer shall award a contract to a qualified firm at compensation that the Procurement Officer determines, in writing, to be fair and reasonable to the District. In making that determination, the Procurement Officer shall take into account the services' estimated value, scope, complexity, and professional nature.

If the Procurement Officer is unable to agree to a satisfactory contract with the firm first selected, at a price the Procurement Officer determines to be fair and reasonable to the District, the Procurement Officer shall formally terminate discussions with that firm and undertake discussions with a second qualified firm. If the Procurement Officer is unable

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to agree to a satisfactory contract with the second firm selected, at a price the Procurement Officer determines to be fair and reasonable to the state, the Procurement Officer shall formally terminate discussions with that firm and undertake discussions with a third qualified firm. If the Procurement Officer is unable to award a contract at a fair and reasonable price to any of the selected firms, the Procurement Officer shall select additional firms and continue discussions in accordance with this section until an agreement is reached.

*Utah Code § 63G-6a-1505 (2012)*